Re-assessment of M/s. I.T.C. for assessment year 1984-85

403. SHRI ISH DUTT YADAV: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that Calcutta High Court vide order dated 11th April, 1988 had set aside the assessment for the assessment year 1984-85 pertaining to M/s. ITC Ltd. and directed the Assessing Officer to complete the assessment after giving the assessee company reasonable opportunity, if being heard;

(b) whether the re-assessment has been completed for the year 1984-85; and

(c) if so, what are the details thereof and if not, what are the reasons for the delay stating the period by which assessment is likely to be completed and recoveries effected?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Yes, Sir.

(b) No, Sir.

(c) The re-assessment proceedings for the assessment year 1984-85 are still pending and are likely to be taken up for finalisation shortly.

Show cause notices against M/s. Goldfray Phillips (I) Ltd. Bombay pending before the Director General Inspection

404. SHRI VIRENDRA VERMA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that following Show Cause Notices are pending before the Director General, Inspection for adjudication in the matter of M/s Godfray Phillips (I) Ltd., Bombay:

(i) Central Excise evasion duty on cigarettes—Show Cause Notice No. PI-30-117/86 dated 22nd May, 1987 and supplementary show cause notice dated 6th July, 1989;

(ii) Central Excise evasion of duty on cigarettes—Show Cause Notice No. IV-CE(9) CP/66/86-1304-04 dated 8th June, 1987; and

(iii) Central Excise evasion of duty on cigarettes—Show Cause Notice DR. No. 54/86 dated 27th July, 1987;

(b) whether it is also a fact that last opportunity has been given to the company by the Director General, Inspection for filing a final reply till 4th December, 1989; and

(c) if so, what is the latest position in this regard and what are the reasons for delay in passing adjudication order by the Director General, Inspection?

THE MINISTER OF FINANCE (PROF. MADHU DANDAVATE): (a) Yes, Sir. The correct date of issue of Show Cause Notice is 8-6-1987 instead of 27th July, 1987 as mentioned in S. No. (iii) of the Question.

(b) Yes, Sir.

(c) In cases, M/s. Godfray, Phillips (I) Ltd. have requested for inspection of certain relied upon documents which are in the custody of Income-tax Authorities have been requested to allow early inspection of the documents to them. A target date for completing the inspection and submitting reply to the show cause notices has been fixed for 31-12-1989. Non-submission of replies to show cause notices has delayed the completion of adjudication proceedings.

Application for Income Tax settlement by M/s. Godfray Phillips (India) Limited, Bombay

405. SHRI VIRENDRA VERMA: Will the Minister of FINANCE be pleased to state:

(a) whether it is a fact that M/s. Godfray Phillips (India) Limited, Bombay made an application for Income-tax settlement for the assessment years 1984-85, 1985-86 and 1986-87; and

(b) if so, what is the latest position with regard to the matter before the Settlement Commissioner and what steps Government have taken to expedite the matter and to effect recoveries from M/s. Godfray Phillips (India) Limited, Bombay?